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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/577,275	04/26/2006	Hilmar Hegner	016906-0502	2496
22428 7590 08/10/2007 FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			EXAMINER LE, THANH TAM T	
			ART UNIT 2839	PAPER NUMBER
			MAIL DATE 08/10/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/577,275

Applicant(s)

HEGNER ET AL.

Examiner

Thanh-Tam T. Le

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 April 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-16 is/are rejected.
- 7) ☒ Claim(s) 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/26/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 4, line 4, "the rear face" lacks an antecedent basis;  
Claim 5, line 1, "the front" lacks an antecedent basis;  
Claim 7, line 1, which's claim that claim 7 depends on? The Examiner assumes that claim 7 is depending on claim 1;  
Claim 7, line 2, "the flat" lacks an antecedent basis;  
Claim 12, line 6 and claims 13 and 15, line 2, "the upper shell" and "the lower shell" lack an antecedent basis; and  
Claim 16, lines 2-3, "the positioning aid" lacks an antecedent basis, line 4, "the side walls" and "the upper shell" lack an antecedent basis; and line 5, "the lower shell" and "the projections" lack an antecedent basis.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-3 and 7-9 are rejected under 35 U.S.C. 102(a) as being anticipated by LePottier et al. (6,558,186).

Regarding claim 1, LePottier et al., figure 6 shows a plug connector for making electrical contact with a load in particular in a bus system with a conductor run,

comprising a contact maker (54) which is provided with bus-compatible electronics (54a), and a fixing element (10) which is provided for arranging the contact maker in a housing (40).

Regarding claim 2, wherein the bus-compatible electronics are arranged on a surface, in particular on a front face of the contact maker.

Regarding claim 3, figure 10 shows contact elements (another 54a) for making contact between the contact maker located on the contact maker and a flat conductor (16).

Regarding claim 7, figure 6 shows the fixing element has positioning aids for arranging the flat conductor on the fixing element and for arranging the fixing element in the housing.

Regarding claim 8, figures 1-3 show the positioning aid of the fixing element for arranging the flat conductor on the fixing element is formed from one or more spikes (20), which are integrally formed on an outer edge of the fixing element.

Regarding claim 9, figures 1 and 9 show the positioning aid for arranging the fixing element in the housing is formed from projections (24) of the outer contour of the fixing element.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4-6, 10-11 and 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Klatt et al. (5,877,488).

Regarding claim 1, Klatt et al., figures 1 and 3 show a plug connector for making electrical contact with a load in particular in a bus system with a conductor run, comprising a contact maker (7) which is provided with bus-compatible electronics (23), and a fixing element (27) which is provided for arranging the contact maker in a housing (40).

Regarding claim 4, wherein contact areas (11') for making contact between the contact maker located on the contact maker and a load (11) are arranged on a rear face of the contact maker.

Regarding claim 5, wherein a front face and the rear face of the contact maker are electrically connected to one another.

Regarding claim 6, figure 3 shows the fixing element has an opening (not labeled) whose dimensions correspond substantially to the contact maker, so that the contact maker can be arranged in the opening in the fixing element.

Regarding claim 10, figure 3 shows the housing comprises an upper shell (6) and a lower shell (3).

Regarding claim 11, figure 1 shows the size and shape of the housing are selected such that the contact maker and the fixing element are accommodated in the interior of the housing.

Regarding claim 13, figure 3 shows an upper shell (6) and a lower shell (3) are connected to one another by one or more webs (not labeled) such that they are joined to form the housing by being folded together.

Regarding claim 14, the web or webs act as hinges.

Regarding claim 15, figure 3 shows an upper shell (6) and a lower shell (3) of the housing have latching elements (12) which allow the housing to be assembled without additional fastening means.

Regarding claim 16, figure 3 shows the housing has a positioning aid which corresponds to a positioning aid of the fixing element for arranging the fixing element in the housing and is made up of cutouts in side walls of an upper shell (6) and a lower shell (3) of the housing so that projections of the fixing element engage in the cutouts in the housing when the housing is assembled.

***Allowable Subject Matter***

5. Claim 12 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is an examiner's statement of reasons for allowance:

None of the references of the prior art of record discloses the housing having a second opening for making contact between the contact maker and a load being formed by an opening in an upper shell or a lower shell, as set forth in the claimed combination.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

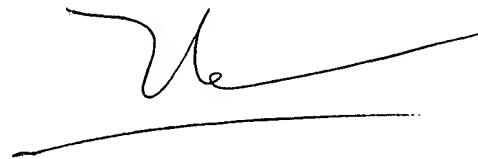
***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh-Tam T. Le whose telephone number is 571-272-2094. The examiner can normally be reached on 7:30-5:00.

9. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thanh-Tam T. Le  
Primary Examiner  
Art Unit 2839

TL.  
8/6/07.